

JAN-10-2005 18:48 FROM: BSTZ

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TO: USPTO JAN 10 2005 P.1

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (503) 439-8778

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (503) 439-6073

## FACSIMILE COVER SHEET

Deliver to: Sumati Lefkowitz, USPTO

Art Group: 2112

Facsimile No.: 703 872-9306

Date: January 10, 2005

From: James Henry, Reg. No. 41,064

Our Docket No.: 42390P11425

Number of pages 19 including this sheet.

Application No.: 10/037,670

Filing Date: 1/3/2002

Docket Due Date(s): 1/10/2005

Enclosed are the following documents:

- Amendment: Response ( 15 pgs)
- Appeal Brief (in triplicate) (        pgs)
- Application: \_\_\_\_\_  
(       pgs) w/cover & abstract)
- Assignment & Cover Sheet (        pgs)
- Certificate of Facsimile \_\_\_\_\_
- Continued Prosecution Application (CPA)
- Declaration & POA (        pgs)
- Drawings:        sheets,        figures
- Extension of Time: \_\_\_\_\_
- Fee Transmittal (in duplicate)
- IDS & PTO/SB/08 (        pgs)
- Other \_\_\_\_\_

- Issue Fee Transmittal
- Notice of Appeal
- Petition for: \_\_\_\_\_
- Request for Continued Examination (RCE)
- Reply Brief (        pgs)
- Request & Certification Under 35 USC 122(b)(2)(B)(i)
- Request to Rescind Previous Nonpublication Request
- Response to Notice of Missing Parts & Formalities Letter
- Response to Written Opinion (        pgs)
- Terminal Disclaimer
- Transmittal of Publication Fee Due
- Transmittal Letter

### CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.81)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Pat Sullivan      01/10/2005  
Date

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TO:USPTO JAN 10 2005 P.2

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No. 10/037,670
		Filing Date January 3, 2002
		First Named Inventor Elici Louzoun
		Art Unit 2112
		Examiner Name Sumati Lefkowitz
Total Number of Pages In This Submission 19		Attorney Docket Number 42390P11425

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; height: 50px; width: 100%;">Facsimile Transmittal Sheet</div>
<input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> PTO/SB/08	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	James Henry, Reg. No. 41,064  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	January 10, 2005

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Typed or printed name	Pat Sullivan	Date	January 10, 2005
Signature			

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 05/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>FEE TRANSMITTAL for FY 2005</b>		<i>Complete if Known</i>																																																																																	
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<b>METHOD OF PAYMENT (check all that apply)</b>																																																																																			
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<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 02-2666   Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP																																																																																			
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)																																																																																			
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<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) <input type="checkbox"/> Credit any overpayments under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.																																																																																			
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<p><b>SUBMITTED BY</b></p> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>James Henry</td> <td>Registration No. (Attorney/Agent)</td> <td>41,064</td> <td>Telephone</td> <td>(503) 439-8778</td> </tr> <tr> <td>Signature</td> <td colspan="2"></td> <td></td> <td>Date</td> <td>01/10/05</td> </tr> </table>				Name (Print/Type)	James Henry	Registration No. (Attorney/Agent)	41,064	Telephone	(503) 439-8778	Signature				Date	01/10/05																																																																				
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Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (Mr) 12/15/2004.  
SND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

## **FEE TRANSMITTAL for FY 2005**

*Perusal fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27.

<i><b>Complete if Known</b></i>	
Application Number	10/037,670
Filing Date	January 3, 2002
First Named Inventor	Eliel Louzoun
Examiner Name	Sumati Lefkowitz
Art Unit	2112
Attorney Docket No.	42390P11425

**METHOD OF PAYMENT** (*check all that apply*)

- Check  Credit card  Money Order  None  Other (please identify):

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below       Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)       Credit any overpayments  
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

## **FEE CALCULATION**

## **1. EXTRA CLAIM FEES**

Total Claims	<b>55</b>	$\cdot$ <b>80%</b> =	<b>0</b>	X	<b>50.00</b>	=	<b>\$0.00</b>
Independent Claims	<b>7</b>	$\cdot$ <b>7%</b> =	<b>0</b>	X	<b>200.00</b>	=	<b>\$0.00</b>
Multiple Dependent							

Large Entity		Small Entity		
Fee	Fee (S)	Fee	Fee (S)	For Description
Code		Code		
1202	60	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204		2204		"Reissue Independent claims over original patent
1205		2205		"Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (1)</b>			<b>(\$)</b>	<b>0.00</b>

*To order previously paid Member For Reserves see below*

## **2. ADDITIONAL FEES**

### **Large Entity      Small Entity**

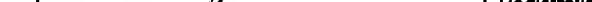
<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Description</b>
1051		2051		Surcharge - late filing fee or oath
1052		2052		Surcharge - late provisional filing fee or cover sheet.
2053		2053		Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	60	Processing fee under 37 CFR 1.17(c)
1806	180	1806	180	Submission of Information Disclosure Stmt
1809	710	1809	395	Filing a submission after final rejection (37 CFR § 1.128(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.128(b))

**Other fee (specify)**

**SUBTOTAL (2)**

Fee Paid \_\_\_\_\_

**SUBMITTED BY**

Name (Print/Type)	James Henry	Registration No. (Attorney/Agent)	41,064	Telephone	(503) 439-8778
Signature				Date	01/10/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sopko, Taylor & Zaffman (wir) 12/15/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 10/037,670  
Amdt. dated 01/10/2005  
Reply to Office action of 10/08/2004

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JAN 10 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.	:	10/037,670	Confirmation No. 8281
Applicant	:	Eliel Louzoun	
Filed	:	01/03/2002	
TC/A.U.	:	2112	
Examiner	:	LEFKOWITZ, SUMATI	
Docket No.	:	42390P11425	
Customer No.	:	8791	

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action of 10/08/2004, please amend the above-identified application as follows:

**Amendments to the Specification begin on page 2 of this paper.**

**Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.**

**Remarks/Arguments begin on page 13 of this paper.**